

BAKER BOTTS LLP

THE WARNER
1299 PENNSYLVANIA AVE., NW
WASHINGTON, D.C.
20004-2400
TEL +1 202.639.7700
FAX +1 202.639.7890
www.bakerbotts.com

AUSTIN
DALLAS
DUBAI
HONG KONG
HOUSTON
LONDON
MOSCOW
NEW YORK
RIYADH
WASHINGTON

November 22, 2005

Jamie S. Kilberg
TEL +1 202-639-7739
FAX +1 202-585-4094
jamie.kilberg@bakerbotts.com

BY E-MAIL

Also licensed in Michigan.

Andrea Bierstein, Esq.
Hanly Conroy Bierstein & Sheridan, LLP
415 Madison Ave.
New York, NY 10017

Re: *In re Terrorist Attacks on September 11, 2001*, 03-MDL-1570 (RCC)

Dear Ms. Bierstein:

We write in reply to your letter of November 17, 2005. You acknowledge in your letter that you did not serve Prince Naif bin Abdulaziz Al-Saud, Prince Salman bin Abdulaziz Al-Saud, or the Saudi High Commission (the "SHC") in *Euro Brokers Inc. v. Al Baraka Investment & Development Corp.*, 04-CV-7279, and *World Trade Center Properties LLC v. Al Baraka Investment & Development Corp.*, 04-CV-7280. You also acknowledge that the time to serve under the Court's orders has long passed. While your firm does not represent the plaintiff in *New York Marine and General Insurance Co. v. Al Qaida*, 04-CV-6105, we also note that counsel for that plaintiff has not responded to the SHC's assertion that the plaintiff there failed to timely serve the SHC.

Despite our involvement as counsel for these defendants in other related litigation consolidated in this proceeding, plaintiffs are not thereby exempted from complying with the rules and orders of the Court. As you will recall, all of the undersigned counsel have been cooperative with and responsive to any plaintiff seeking to serve Prince Naif, Prince Salman, or the SHC in this consolidated proceeding. Plaintiffs in *Euro Brokers* and *World Trade Center Properties* made no effort whatsoever to effect service. The same is true in the *New York Marine* case as to the SHC. This is not a mere "technical" matter.

In any event, we intend to move to dismiss *Euro Brokers*, *World Trade Center Properties*, and *New York Marine* on the merits, as those cases are clearly controlled by the Court's January 18, 2005, and September 21, 2005 Opinions and Orders. We also intend – unless you would like to conserve the parties' and the Court's resources by stipulating to a

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Ms. Andrea Bierstein

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dismissal on the merits based on the Court's prior rulings – to raise the Plaintiffs' acknowledged failure to attempt service as an additional ground for dismissal.¹

Very truly yours,

BAKER BOTTS LLP

By:


Jamie S. Kilberg

*Counsel for HRH Prince Salman bin
Abdulaziz Al-Saud*

BRYAN CAVE LLP

By:

/S/

James M. Cole

*Counsel for HRH Prince Naif bin Abdulaziz
Al-Saud*

ROBBINS, RUSSELL, ENGLERT, ORSECK &
UNTEREINER LLP

By:

/S/

Larry Robbins

Counsel for the Saudi High Commission

cc: Kevin Hickman, Esq.

¹ We intend to include in our motion *Burnett v. Al Baraka Investment & Development Corp.*, 03-CV-5738, which we included in our November 7, 2005 letter, but which you failed to address in your November 17, 2005 response.